



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

OCT 22 2002

Gina N. Shishima
FULBRIGHT & JAWORSKI LLP
600 Congress Avenue, Suite 2400
Austin, Texas 78701

#12

In re Application of	:	
Rombel et al	:	PETITION TO
Serial No.: 09/728,041	:	WITHDRAW HOLDING OF
Filed: December 01, 2000	:	ABANDONMENT
Attorney Docket No.: UTSD:679US/GNS	:	

This is in response to applicants' petition, filed July 17, 2002, requesting withdraw holding of abandonment.

On November 27, 2001, an Office action was mailed. On July 16, 2002, applicant was contacted by the examiner regarding abandonment of instant application due to non-reply to the office action dated November 27, 2001. On July 17, 2002, the present petition was filed. Applicants assert that the Office action dated November 27, 2001 was never received. The petition was accompanied with a copy of the docket records of representatives Gina N. Shishima and Steve Highlander, where the non-received Office communication would have been entered and docketed.

Applicants' statement and evidence sufficiently show that the office action in question was never received. Although the application is technically abandoned, no Notice of Abandonment has been mailed. Accordingly, the petition is Dismissed.

Applicants' petition DISMISSED.

The office action dated November 27, 2001 is being remailed herewith. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ONE MONTH FROM THE MAILING DATE OF THIS LETTER.

Should there be any questions regarding this decision, please contact Cecilia Tsang by mail addressed to Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703) 308-0254 or by facsimile transmission at (703) 305-7230.

Cecilia Tsang for
John Doll

Director, Technology Center 1600